

The Third and Fourth Amendments to the Constitution of the United States of America limits the government's ability to invade the privacy of private citizens without just cause. The Fourth Amendment tells of "The right of the people to be secure in their persons, houses, papers, and effects". If the Constitution can limit the right of the government to invade our privacy why should the corporations and business community be exempted?

Telemarketing is a direct invasion of a person's privacy. The phone solicitors have taken away the security within our houses and effects (private telephone). They claim that the freedom of speech in the First Amendment gives them the right to continuously violate our privacy. Although we do have freedom of speech, it does have limits when it infringes on the rights of others such as libel and slander. Invading a person's privacy within their home via their telephone is also an infringement on a citizen's rights and should be stopped.

A citizen should not, nor should the phone company, be forced to pay for extra accessories to their phone to screen the unwanted phone solicitor. A person should not have to pay a monthly fee to screen calls - this is extortion and extortion is against the law. What we need is a federal law that will create a "National do-not-call list" with provisions of strict enforcement and stiff penalties for violations. Those on the list should also have an indicator in the next edition of the phone directory that shows them as a non-subscriber of phone solicitations to protect them against local business solicitations. The new law should include all of the United States and its territories with protection from foreign countries also. A clause should also be added that includes any United States company or organization to prevent them from utilizing foreign telemarketers to bypass U.S. laws. There should be no exemptions so that no loopholes can be created. The present telemarketing laws are full of loopholes.

The telemarketing industry would still be allowed to call those who do not mind their solicitations. Also private enterprise still has the opportunity to use television, radio, billboards, booths at malls or fairs, newspapers, and even the US Postal Service to promote their wares or requests. These mediums are legal because the sellers pay usage fees but I pay for my telephone services and my telephone. Phone solicitors pay nothing towards my phone services so therefore I should be able to deny their intrusions on my personal effects.

The Declaration Of Independence states "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness". Phone solicitations by corporations, businesses, and telemarketing are taking away from our Liberty by interrupting the sleep of the shift worker, family meals, or just the Liberty to relax within your own home without the interruption of an unwanted phone solicitor.